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Washington, DC 20037-3213  
T 202.293.7060  
F 202.293.7860

www.sughrue.com

**FAX**

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Date	August 19, 2005		
To	Examiner Neil S. Levy		
Of	PTO Group Art Unit 1615		
Fax	571 273 8300 and 571 273 0619		
From	Peter D. Olexy	Registration No.	24,513
Subject	PAPER TO EXAMINER WITH COPIES OF PAGES 21, 30, 76 AND 78		
Our Ref	Q67809	Appln No	10/026,700
Conf No	9275	Inventors	MATSUO, Norifusa, et al.
Pages	10 (including cover sheet)		

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1. This cover sheet
2. Paper to Examiner with copies of pages 21, 30, 76 and 78

**CERTIFICATION OF FACSIMILE TRANSMISSION**

Sir:

I hereby certify that the above identified correspondence is being facsimile transmitted to Examiner Neil S. Levy at the Patent and Trademark Office on August 19, 2005 at 571 273 8300 and 571 273 0619.

Respectfully submitted,

  
Deangela D. Williams**BEST AVAILABLE COPY**

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**AUG 19 2005**

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q67809

MATSUO, Norifusa, et al.

Appln. No.: 10/026,700

Group Art Unit: 1615

Confirmation No.: 9275

Examiner: Neil S. Levy

Filed: December 27, 2001

For: COMPOSITION FOR CONTROLLING HARMFUL BIO-ORGANISMS AND METHOD  
FOR CONTROLLING HARMFUL BIO-ORGANISMS USING THE SAME

**PAPER TO EXAMINER WITH COPIES OF PAGES 21, 30, 76 AND 78**

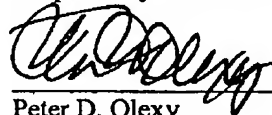
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the Examiner's request, Applicants fax herewith copies of page 21,  
30, 76 and 78 as amended December 27, 2001.

There are two copies of each of the above identified pages. One page shows the original  
language in combination with the corrected language and the other version shows the pages  
using the as corrected language.

Respectfully submitted,



Peter D. Olexy  
Registration No. 24,513

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: August 19, 2005

Table 1 (cont'd.)

No.	Designation	Trade Name (Manufacturer)
26	octylphenoxy polyethoxyethanol	Citowett PLUS (BASF AG) or CITOWETT PLUS
27	dilauryl ester polyethylene glycol ester solvent c.s.p.	COADJUVANT Chevron (Bayer AG)
28	polioxiester amino grass 80g, solvents	Hi-Point (CARGIL)
29	polyoxyethylene rosin ester	Sorpol 7261 (Toho Chemical Industry Co., Ltd.)
30	diglycerin diol fatty acid ester + polyoxyethylene monomethyl ether	Sorpol 7337 (Toho Chemical Industry Co., Ltd.)
31	polyoxyethylene rosin ester	Sorpol 7445 (Toho Chemical Industry Co., Ltd.)
32	trimethylnonyl polyethoxyethanol	Surfactant WK
33	polyglycol alkylaryl ether	TREND® (E.I. du Pont)
34	ethylene-acrylic acid copolymer emulsion	Poligen WE3 (BASF AG)
35		Pepol AH-053 Lot. No. 2184Y (Toho Chemical Industry Co., Ltd.)
36	benceno Surfonato de sodio eter 45	COADJUVANT TRITON ACT-M
37	Acetite-Acetite Mineral 85%	COADJUVANT ACETITE ANPLUS
38	Acetite-Acetite Mineral 83%	COADJUVANT ASSIST OIL
39	linear alcohol ethoxylate 7 mols EO	Ethylan D257

Table 1 (cont'd.)

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38	Acetite Mineral 83%	COADJUVANT ASSIST OIL
39	linear alcohol ethoxylate 7 mols EO	Ethylan D257

Table 8

Unclassifiable Spreaders

No.	Designation	Trade Name (Manufacturer)
71		Adherex MR (ISK Mexico)
72		Atlox-BI (Kao Corporation)
73	sol de olamina del acido dodecil benceno sulfuronico (33%) + solvente (agua) estabilizante e impurezas (67%)	EXTRAVON® 40 (Ciba-Geigy Agrochemicals, Ltd.)
74		SUPER CORAL ADH-50 (Grupocoret)
75		SUREFATE 30 (E.I. du Pont)
76		ALBOL INEUM AK (ICI Agrochemicals)
77		ATPLUS SL 92 (ICI Agrochemicals)
78		Nisseki Noyaku Oil Emulsion (Nippon Oil Co., Ltd.)
79		OLEO RUSTICA 11E (Hoechst AG)
80		SURF OIL (Hoechst AG)
81		ADJUVANT No. 1 (Toho Chemical Industry Co., Ltd.)
82	aceite-Acetite parafinico 81%	Ulvapron®
83		X2-5309 (Toray Industries, Inc.)
84	blend of alkylphenyl hydroxy-polyoxyethylene polymerized resins and fatty acids (78%) + paraffin base petroleum oil (22%)	Helena Surfix (Helena Chemical Co.)

Table 8

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75		SURFATE 30 (E.I. du Pont)
76		ALBOL INEUM AK (ICI Agrochemicals)
77		ATPLUS SL 92 (ICI Agrochemicals)
78		Nisseki Noyaku Oil Emulsion (Nippon Oil Co., Ltd.)
79		OLEO RUSTICA 11E (Hoechst AG)
80		SURF OIL (Hoechst AG)
81		ADJUVANT No. 1 (Toho Chemical Industry Co., Ltd.)
82	Acetite parafinico 81%	Ulvapron®
83		X2-5309 (Toray Industries, Inc.)
84	blend of alkylphenyl hydroxy-polyoxyethylene polymerized resins and fatty acids (78%) + paraffin base petroleum oil (22%)	Helena Surfix (Helena Chemical Co.)

Table 25Preventive Effect on Cucumber Downy Mildew  
(Incidence Rate: %)

Compound No. 1	<del>Duitch Bordeaux</del> <u>Doitsu Borudo A</u>	
	50 ppm	0 ppm
0.2 ppm	0 ( 7)	7
0.025 ppm	70 (100)	100
0 ppm	100	100

Test Example 9Test of Preventive Effect on Tomato Late Blight

A tomato (cultivar: Ponderosa) was cultivated in polyethylene pots (diameter: 7.5 cm). When the plant reached a four-leaf stage, 10 ml of a composition containing Compound No. 1 and Kocide Bordeaux (trade name of a cupric hydroxide wettable powder produced by Griffin) or ~~Duitch Bordeaux~~ Doitsu Borudo A (trade name of copper oxychloride wettable powder produced by Hokko Chemical Industry Co., Ltd.) in the respective concentrations shown in Tables 26 and 27 below was sprayed on the seedling by means of a spray gun. After 24 hours, it was inoculated by spraying a zoosporangium suspension of fungi of late blight (*Phytophthora infestans*). The plant was kept in a chamber set at 22 to 24°C for 3 days, and the lesion area was measured, from which the disease

Table 25Preventive Effect on Cucumber Downy Mildew  
(Incidence Rate; %)

Compound No. 1	Doitsu Borudo A	
	50 ppm	0 ppm
0.2 ppm	0 ( 7)	7
0.025 ppm	70 (100)	100
0 ppm	100	100

Test Example 9Test of Preventive Effect on Tomato Late Blight

A tomato (cultivar: Ponderosa) was cultivated in polyethylene pots (diameter: 7.5 cm). When the plant reached a four-leaf stage, 10 ml of a composition containing Compound No. 1 and Kocide Bordeaux (trade name of a cupric hydroxide wettable powder produced by Griffin) or Duitch Bordeaux A (trade name of copper oxychloride wettable powder produced by Hokko Chemical Industry Co., Ltd.) in the respective concentrations shown in Tables 26 and 27 below was sprayed on the seedling by means of a spray gun. After 24 hours, it was inoculated by spraying a zoosporangium suspension of fungi of late blight (*Phytophthora infestans*). The plant was kept in a chamber set at 22 to 24°C for 3 days, and the lesion area was measured, from which the disease



Table 27Preventive Effect on Tomato Late Blight  
(Incidence Rate: %)

Compound No. 1	Doitsu Borudo A	
	200 ppm	0 ppm
3 ppm	0 (31)	31
1.5 ppm	3 (37)	37
0 ppm	100	100

Test Example 10Test of Curative Effect on Cucumber Downy Mildew

A cucumber (cultivar: Suvo) was cultivated in polyethylene pots (diameter: 7.5 cm). When the plant reached a two-leaf stage, it was inoculated by spraying a spore suspension of fungi of downy mildew (*Pseudoperonospora cubensis*). After 24 hours, 10 ml of a composition containing Compound No. 1 and aluminum tris(ethyl phosphonate) (Fosetyl-aluminum) in the respective concentrations shown in Table 28 was sprayed onto the plant by means of a spray gun. The plant was kept in a chamber set at 22 to 24°C for 6 days, and the lesion area of the first leaf was measured, from which the disease incidence rate (%) was calculated in the same manner as in Test Example 1. The results obtained are shown in Table 28.

Table 27Preventive Effect on Tomato Late Blight  
(Incidence Rate; %)

Compound No. 1	<del>Dutch Bordeaux</del> Doitsu Borudo A	
	200 ppm	0 ppm
3 ppm	0 (31)	31
1.5 ppm	3 (37)	37
0 ppm	100	100

Test Example 10Test of Curative Effect on Cucumber Downy Mildew

A cucumber (cultivar: Suvo) was cultivated in polyethylene pots (diameter: 7.5 cm). When the plant reached a two-leaf stage, it was inoculated by spraying a spore suspension of fungi of downy mildew (*Pseudoperonospora cubensis*). After 24 hours, 10 ml of a composition containing Compound No. 1 and aluminum tris(ethyl phosphonate) (Fosetyl-aluminum) in the respective concentrations shown in Table 28 was sprayed onto the plant by means of a spray gun. The plant was kept in a chamber set at 22 to 24°C for 6 days, and the lesion area of the first leaf was measured, from which the disease incidence rate (%) was calculated in the same manner as in Test Example 1. The results obtained are shown in Table 28.

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